

MEETINGS TO DATE 24
NO. OF REGULARS 21
NO. OF SPECIALS 3

LANCASTER, NEW YORK
NOVEMBER 5, 1973

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York, on the 5th day of November, 1973 at 8:00 P.M. and there were

PRESENT: LEO N. WEIMER, SUPERVISOR
JOSEPH R. BARNHARDT, COUNCILMAN
EDWARD A. BERENT, COUNCILMAN
PETER J. BOLENDER, COUNCILMAN
ARTEL J. METZ, COUNCILMAN

ABSENT: NONE

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK
DOMINIC J. TERRANOVA, TOWN ATTORNEY
TIMOTHY J. DWAN, DEPUTY TOWN ATTORNEY
EDWARD J. FERON, JR., TOWN ENGINEER
JOHN F. LUME, HIGHWAY SUPERINTENDENT
VICTOR H. OTT, POLICE CHIEF
WILLIAM F. DOUGHERTY, JR., BUILDING INSPECTOR

OFFICIAL REPORTS:

The Town Clerk reported that the following departments of the Town of Lancaster have filed with him their Monthly Reports as follows:

<u>DEPARTMENT</u>	<u>MONTH OR MONTHS OF</u>
Town Clerk	October, 1973
Dog Warden	September, 1973
Ambulance	October, 1973

COMMITTEE REPORTS:

Councilman Berent, for the Recreation Committee, presented to the Town Board the Preliminary Development Plans for a Recreation Area at the former Nike Site located at the corner of Walden Avenue and Ransom Road.

Councilman Berent indicated that applications are in process requesting Federal Aid and assistance for the development of this site.

PRESENTATION OF RESOLUTIONS BY COUNCILMEN:

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT , WHO MOVED
ITS ADORTION, SECONDED BY COUNCILMAN
BOLENDER , TO WIT:

RESOLVED, that the Minutes of the Regular Meeting of the Town Board
held on October 15, 1973, and of the Special Meeting of the Town Board held on
October 29, 1973, as presented by the Town Clerk, be and hereby are approved.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

~~xxx~~
The resolution was thereupon unanimously adopted.

November 5, 1973

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BOLENDER , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has previously
advertised for bids for the furnishing to the Highway Department of the Town
of Lancaster, New York, of one (1) sander body in accordance with specifications
on file with the Town Clerk of the Town of Lancaster, and

WHEREAS, said bids were duly opened on October 15, 1973, and

WHEREAS, P-D Service, Inc., 1869 Harlem Road, Buffalo, New York,
has submitted a net bid for the furnishing of one (1) sander body for the
sum of \$2,596.00, and

WHEREAS, said bid is the lowest responsible bid submitted conforming
with the specifications therefor,

NOW, THEREFORE, BE IT

RESOLVED, that the low bid of P-D Service, Inc., 1869 Harlem Road,
Buffalo, New York, in the sum of \$2,596.00 be and the same is hereby accepted
and that order for such sander body is hereby authorized to be placed and that
delivery be made not later than sixty (60) days after date of order.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

The resolution was thereupon unanimously adopted.

November 5, 1973

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT , TO WIT:

WHEREAS, by resolution of October 1, 1973, the Town Board of the
Town of Lancaster authorized a public hearing to be held on a proposed amend-
ment to the Code of the Town of Lancaster, Chapter 50, Zoning, and

WHEREAS, an error was made in the text of the change proposed to
be made,

NOW, THEREFORE, BE IT

RESOLVED, that the resolution of the Town Board of the Town of
Lancaster adopted on October 1, 1973, authorizing a public hearing to be
held on the proposed amendment to the Code of the Town of Lancaster, Chapter
50, Zoning, be and hereby is rescinded.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

~~xxx~~
The resolution was thereupon unanimously adopted.

November 5, 1973

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT , TO WIT:

WHEREAS, certain areas of the Town of Lancaster are subject to
periodic flooding from streams, causing serious damage within those areas, and

WHEREAS, it is in the public interest to discourage construction and
to apprise property owners of the exposure to danger from flooding in areas
where periodic flooding from streams is a probable risk, and

WHEREAS, the Planning Board and the Planning Consultant of the
Town of Lancaster have recommended and the Town Board of the Town of Lancaster
deems it in the public interest to amend a portion of the Code of the Town of
Lancaster, County of Erie, State of New York, being Chapter 50 - Zoning - by
making changes thereto as follows:

"Section 50-8. General Application, is hereby amended by
deleting therefrom:

Except as hereinafter provided:

- A.
- B.
- C.

D. "Special Development" or "Conservation" areas may be
designated on an Interim Development Plan or Master Plan Map (if any)
and shall be considered as having unique characteristics of location
and/or physical features. Such areas are not restricted to any
particular zoning district as established under Sec. 50-5 of this
ordinance, but instead are superimposed over any districts which
possess the above-mentioned unique characteristics of location or
physical features. If such "Development" or "Master Plan" has
been duly adopted or amended after adoption by the Planning Board,
any building permit application for such area for a use other than
those permitted in an R-1 District, or a petition for zoning change,
shall be regulated by the provisions of Sec. 50-126 (provisional
amendments) of this ordinance. For purposes of interpretation, the
"conservation" area boundary shall include all lands along Ellicott
Creek within the Intermediate Regional Flood Plain as defined in the
Flood Plain Inspection Report prepared by the Buffalo District Corps
of Engineers dated January 1968.

and by substituting therefor:

Except as hereinafter provided:

- A.
- B.
- C.

D. "Special Development" or "Conservation" areas may be
designated on an Interim Development Plan or Master Plan Map (if any)
and shall be considered as having unique characteristics of location
and/or physical features. Such areas are not restricted to any
particular zoning district as established under Sec. 50-5 of this
ordinance, but instead are superimposed over any districts which

possess the above-mentioned unique characteristics of location or physical features. If such "Development" or "Master Plan" has been duly adopted or amended after adoption by the Planning Board, any building permit application for the "Special Development Area" for a use other than those permitted in an R-1 District, or a petition for zoning change, shall be regulated by the provisions of Sec. 50-126 (provisional amendments) of this ordinance. In the case of lands designated as "Conservation Area" this area shall be more precisely defined as those lands subject to periodic flooding and delineated as Alluvial Soils by the Soil Conservation Service on the Interim Soil Survey for the Town of Lancaster, dated August 1969.

Prior to the issuance of any permit for the erection of any structure or building in the Conservation Area, the application for use shall be referred to the Planning Board which shall examine each case and recommend either approval or disapproval of the proposed project based on the following criteria and objectives:

1. The proposed use would not impede the flow of flood water or otherwise cause damage to life or property at, or above, or below its location on the flood plain.
2. The proposed use would not interfere with the maintenance of adequate drainage channels and ponding areas to carry abnormal flows of storm water in periods of heavy precipitation."

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Sections 130 and 265 of the Town Law of the State of New York, a public hearing on the proposed amendment to the Code of the Town of Lancaster, Chapter 50, Zoning, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 3rd day of December, 1973, at 8:00 o'clock P.M., Eastern Standard Time, and that Notice of the time and place of such hearing be published in the Lancaster Enterprise, the official newspaper of the Town of Lancaster, and be posted on the Town Bulletin Board, which Notice shall be in the following form:

LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN that, pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster adopted on the 5th day of November, 1973, the said Town Board will hold a Public Hearing on the 3rd day of December, 1973, at 8:00 o'clock P.M., Eastern Standard Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested person upon the following proposed amendment to the Code of the Town of Lancaster, County of Erie, State of New York, Chapter 50, Zoning:

"Section 50-8. General Application, is hereby amended by deleting therefrom:

Except as hereinafter provided:

- A.
- B.
- C.

D. "Special Development" or "Conservation" areas may be designated on an Interim Development Plan or Master Plan Map (if any) and shall be considered as having unique characteristics of location and/or physical features. Such areas are not restricted to any particular zoning district as established under Sec. 50-5 of this ordinance, but instead are superimposed over any districts which possess the above-mentioned unique characteristics of location or physical features. If such "Development" or "Master Plan" has been duly adopted or amended after adoption by the Planning Board, any building permit application for such area for a use other than those permitted in an R-1 District, or a petition for zoning change, shall be regulated by the provisions of Sec. 50-126 (provisional amendments) of this ordinance. For purposes of interpretation, the "conservation" area boundary shall include all lands along Ellicott Creek within the Intermediate Regional Flood Plain as defined in the Flood Plain Inspection Report prepared by the Buffalo District Corps of Engineers dated January 1968.

and by substituting therefor:

Except as hereinafter provided:

- A.
- B.
- C.

D. "Special Development" or "Conservation" areas may be designated on an Interim Development Plan or Master Plan Map (if any) and shall be considered as having unique characteristics of location and/or physical features. Such areas are not restricted to any particular zoning district as established under Sec. 50-5 of this ordinance, but instead are superimposed over any districts which possess the above-mentioned unique characteristics of location or physical features. If such "Development" or "Master Plan" has been duly adopted or amended after adoption by the Planning Board, any building permit application for the "Special Development Area" for a use other than those permitted in an R-1 District, or a petition for zoning change, shall be regulated by the provisions of Sec. 50-126 (provisional amendments) of this ordinance. In the case of lands designated as "Conservation Area", this area shall be more precisely defined as those lands subject to periodic flooding

and delineated as Alluvial Soils by the Soil Conservation Service on the Interim Soil Survey for the Town of Lancaster, dated August 1969.

Prior to the issuance of any permit for the erection of any structure or building in the Conservation Area, the application for use shall be referred to the Planning Board which shall examine each case and recommend either approval or disapproval of the proposed project based on the following criteria and objectives:

1. The proposed use would not impede the flow of flood water or otherwise cause damage to life or property at, or above, or below its location on the flood plain.
2. The proposed use would not interfere with the maintenance of adequate drainage channels and ponding areas to carry abnormal flows of storm water in periods of heavy precipitation."

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE
TOWN OF LANCASTER

By: ROBERT P. THILL
Town Clerk

Dated: November 5, 1973

and,

BE IT FURTHER

RESOLVED, that the Town Clerk of the Town of Lancaster be and hereby is directed to furnish Notice of said Public Hearing to the Clerks of the Village of Lancaster, the Village of Depew, the Town of Alden, Town of Elma, Town of Cheektowaga and Town of Clarence, as well as to the Erie County Department of Planning in accordance with Section 239 (m) of the General Municipal Law of the State of New York.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

~~clerk~~

The resolution was thereupon unanimously adopted.

November 5, 1973

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has duly adopted the Ad Valorem Budget for the Town of Lancaster for the year 1974, and

WHEREAS, the Town Board has determined in said budget for Highway purposes that 75% of all property within the Villages of Lancaster and Depew shall be exempted from the levying and collection of taxes levied in the Town of Lancaster for Item 3 of the Highway Budget and that 50% of all property within the Villages of Lancaster and Depew shall be exempted from the levying and collection of taxes levied in the Town of Lancaster for Item 4 of the Highway Budget, and

WHEREAS, the Town Board of the Town of Lancaster has determined to continue its agreement, pursuant to Section 150 of the Town Law, to exempt 50% of the Town Police Budget from levy and assessment against property within the Villages of Lancaster and Depew,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster does hereby exempt 75% of all property within the Villages of Lancaster and Depew from the levying and collection of taxes levied in the Town of Lancaster for Item 3 of the Highway Budget; and does hereby exempt 50% of all property within the Villages of Lancaster and Depew from the levying and collection of taxes levied in the Town of Lancaster for Item 4 of the Highway Budget; and does hereby exempt 50% of the Town Police Budget from levy and assessment against property within the Villages of Lancaster and Depew, and

BE IT FURTHER

RESOLVED, that the Town Clerk forward a certified copy of this resolution to the Village Clerk of the Village of Lancaster and to the Village Clerk of the Village of Depew.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

COUNCILMAN METZ VOTED YES

SUPERVISOR WEIMER VOTED YES

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The resolution was thereupon unanimously adopted.

November 5, 1973

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BOLENDER , TO WIT:

WHEREAS, by resolution of October 1, 1973, the Town Board of the
Town of Lancaster authorized Ayer Roofing Company, 18 Laverack Avenue,
Lancaster, New York, to perform remedial roofing work at the Depew Branch
Library, 321 Columbia Avenue, Depew, New York, and

WHEREAS, since adoption of said resolution, said Ayer Roofing Company
has ceased its operations,

NOW, THEREFORE, BE IT

RESOLVED, that the resolution of the Town Board of the Town of
Lancaster heretofore adopted on October 1, 1973, authorizing remedial roofing
work to be performed at the Depew Branch Library by Ayer Roofing Company, be
and hereby is rescinded.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

COUNCILMAN METZ VOTED YES

SUPERVISOR WEIMER VOTED YES

~~xxx~~
The resolution was thereupon unanimously adopted.

November 5, 1973

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BOLENDER , TO WIT:

WHEREAS, the Lancaster Library Board and Library Committee of the
Town Board have recommended immediate roofing repairs to the Depew Branch
Library at 321 Columbia Avenue, Depew, New York, and

WHEREAS, informal estimates from competent roofing contractors have
been obtained, and

WHEREAS, the lowest responsible estimate for the immediate performance
of such remedial roofing work has been submitted by Bronislaus Masternak, 244
Broezel Avenue, Lancaster, New York, for the sum of \$1950.00, by proposal dated
October 10, 1973, providing for a two-year guarantee,

NOW, THEREFORE, BE IT

RESOLVED, that Bronislaus Masternak, 244 Broezel Avenue, Lancaster,
New York, be and hereby is authorized to perform remedial roofing work at the
Depew Branch Library, 321 Columbia Avenue, Depew, New York, in accordance with
proposal dated October 10, 1973, and

BE IT FURTHER

RESOLVED, that the additional sum of \$420.00 be transferred from the
General Fund Account No. A.00.090.11, Unappropriated, to the General Fund
Account No. A.00.7410.47, Library-Depew Branch Repairs, to provide for payment
for said remedial work, and that a copy of this resolution be forwarded to the
Lancaster Library Board.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

The resolution was thereupon unanimously adopted.

November 5, 1973

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, Rev. John Whiteford, Chairman, and Sister Antoinette Flury, Counselor, of the Town of Lancaster Narcotic Guidance Council, participated in a Drug Education Seminar at Adelphi University, Plainview, New York, with actual training expenses covered by the Office of Drug Education, and

WHEREAS, attendance at said Seminar provided useful information that can be utilized in the work of the Town of Lancaster Narcotic Guidance Council, and

WHEREAS, in addition to the actual training expenses paid for by the Office of Drug Education, certain miscellaneous expenses were incurred by Rev. Whiteford and Sister Antoinette Flury,

NOW, THEREFORE, BE IT

RESOLVED, that reimbursement for said itemized miscellaneous expenses incurred by Rev. Whiteford and Sister Antoinette Flury in connection with attendance at the Drug Education Seminar be and hereby is confirmed, subject to proper audit.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

COUNCILMAN METZ VOTED YES

SUPERVISOR WEIMER VOTED YES

~~xxx~~
The resolution was thereupon unanimously adopted.

November 5, 1973

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BOLENDER , TO WIT:

WHEREAS, definite plans, specifications and contract documents have been prepared by Krehbiel-Guay-Rugg-Hall, Engineers, previously retained by the Town of Lancaster, for demolition and removal of building, contents and appurtenances thereof at 10 School Street, Lancaster, New York, and

WHEREAS, such plans, specifications and contract documents have been reviewed by the Town Board of the Town of Lancaster, and

WHEREAS, such public work is necessary to clear the site for a future Lancaster Branch Library,

NOW, THEREFORE, BE IT

RESOLVED, that the plans, specifications and contract documents for the demolition and removal of building, contents and appurtenances thereto at 10 School Street be and hereby are approved and adopted, and it is further

RESOLVED AND ORDERED, that the Town Board of the Town of Lancaster invite separate and sealed bids for the furnishing of material and equipment, together with all labor, for the demolition and removal of building, contents and appurtenances thereof at 10 School Street, Lancaster, New York, and that such sealed bids and proposals shall be received and later considered publicly at a meeting of the Town Board to be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 19th day of November, 1973, at 8:00 o'clock P.M., Eastern Standard Time, and the Notice of such invitation for bids or proposals shall be published by the Town Clerk of the Town of Lancaster in the Lancaster Enterprise, the official newspaper of the Town of Lancaster, on November 8, 1973, and be posted according to law, and it is further

RESOLVED AND ORDERED, that such plans and specifications shall be publicly exhibited in the offices of Krehbiel-Guay-Rugg-Hall, Engineers, 1868 Niagara Falls Boulevard, Tonawanda, New York, and in the Office of the Town Clerk, Town Hall, Lancaster, New York, between the date of publication of such notice and the date herein specified for the receiving and considering of

sealed bids and proposals, and it is further

RESOLVED AND ORDERED, that the invitation to Bid shall be in the following form:

NOTICE TO CONTRACTORS
TOWN OF LANCASTER

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Lancaster, Erie County, New York, sealed proposals will be received and considered by the said Town Board on the 19th day of November, 1973, at 8:00 P.M., Eastern Standard Time, in the Town Hall, Lancaster, New York, for furnishing all materials and equipment, together with all labor, to Demolish and Remove the building at 10 School Street, in accordance with proposed specifications prepared by Krehbiel-Guay-Rugg-Hall, for the Town of Lancaster, a copy of which is on file with the Town Clerk at his office in the Town Hall, Town of Lancaster, New York, where the same may be examined during their usual business hours.

Copies of the proposed contract documents may also be examined at the offices of Krehbiel-Guay-Rugg-Hall, 1868 Niagara Falls Boulevard, Tonawanda, New York. One copy of the proposed documents may be obtained upon payment of \$5.00. Any bidder, upon returning such copy in good condition within 30 days following the taking of bids will be refunded said sum of \$5.00.

The Town of Lancaster reserves the right to reject any and all bids, or to waive any informalities, or to make an award to other than the low bidder.

TOWN BOARD OF THE
TOWN OF LANCASTER

By: ROBERT P. THILL
Town Clerk

Dated: November 5, 1973

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
COUNCILMAN METZ	VOTED YES
SUPERVISOR WEIMER	VOTED YES

~~and~~
The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCILMAN BOLENDER, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCILMAN
METZ , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby
ordered paid from their respective accounts:

<u>ACCOUNT</u>	<u>ORDER NUMBER</u>	<u>TOTAL AMOUNT</u>
General Funds	No. 6199 to 6306 Incl.	\$ 126,123.29
Special District Funds	No. 1272 to 1273 Incl.	2,411.39
Part Town Funds	No. 1516 to 1520 Incl.	1,070.51
Highway Funds	No. 3165 to 3176 Incl.	18,298.68
Trust & Agency Funds	No. 493 to 494 Incl.	23,396.53
Federal Revenue Sharing	No. 18 to 18 Incl.	121,202.48

The question of the adoption of the foregoing resolution was duly put
to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES
COUNCILMAN BERENT VOTED YES
COUNCILMAN BOLENDER VOTED YES
COUNCILMAN METZ VOTED YES
SUPERVISOR WEIMER VOTED YES

~~and~~
The resolution was thereupon unanimously adopted.

November 5, 1973

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCILMAN METZ, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCILMAN
BOLENDER, TO WIT:

RESOLVED, that the following Building Permit Applications be and
are hereby approved and the issuance of Building Permits be and are
hereby authorized:

<u>NO.</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>STRUCTURE</u>
140	Lanson Entr. Inc.	9 Division Street	ER. FR. PVT. GAR.
141	2300 George Urban Blvd. Corp.	5067 Transit Road	EX. FR. PVT. GAR. ENTR.
142	2300 George Urban Blvd. Corp.	5067 Transit Road	ER. FR. SIGN
143	James A. Reger	3464 Bowen Road	ER. CONC. IN GROUND SWIMMING POOL
144	Richard Putnam	137 Peppermint Rd.	ER. FR. PVT. GAR.
145	David Smith	6056 Broadway	ER. DEM. FR. CONC. BLK. ATT. PVT. GAR.
146	Thomas F. Harrigan	4 Bradley Drive	ER. FR. PVT. GAR.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

~~xxx~~
The resolution was thereupon unanimously adopted.

November 5, 1973

THE FOLLOWING RESOLUTION WAS OFFERED BY
 COUNCILMAN BOLENDER, WHO MOVED ITS
 ADOPTION, SECONDED BY COUNCILMAN METZ
 TO WIT:

BE IT RESOLVED, that the following transfers within the General Fund of the Town of Lancaster be effected:

	To		From	
	Account	Amount	Account	Amount
<u>Independent Auditing & Accounting</u>				
Contractual Expenses	A.00.1320.40	\$2,800.00		
Transfer from Unapprop. Bal			A.00.9999.00	\$2,800.00
<u>Buildings - Town Hall</u>				
Sub. & Vacation Salary	A.00.1620.14	12.00		
Supplies & Maint. of Machinery	A.00.1620.44	143.88		
Painting and Repairs			A.00.1620.43	155.88
<u>Central Data Processing</u>				
Contractual Expenses	A.00.1680.40	545.85		
Transfer from Unapprop. Bal			A.00.9999.00	545.85
<u>Superintendent of Highways</u>				
Office and Other Expenses	A.00.5010.41	80.70		
Transfer from Unapprop. Bal			A.00.9999.00	80.70
<u>Library</u>				
Const. Lancaster Br. Library	A.00.7410.49	285.67		
Lancaster Br. Maintenance			A.00.7410.46	285.67
<u>Refuse & Garbage</u>				
Dumping Fees	A.00.8160.46	59.00		
Contingent Account			A.00.1990.40	59.00
<u>Employee Benefits</u>				
Social Security	A.00.9030.80	1,261.32		
Transfer from Unapprop. Bal.			A.00.9999.00	1,261.32

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN BARNHARDT VOTED	<u>YES</u>
COUNCILMAN BERENT VOTED	<u>YES</u>
COUNCILMAN BOLENDER VOTED	<u>YES</u>
COUNCILMAN METZ VOTED	<u>YES</u>
SUPERVISOR WEIMER VOTED	<u>YES</u>

The resolution was declared unanimously adopted.

DATED: November 5, 1973

STATUS REPORTS ON UNFINISHED BUSINESS:

1. Traffic Study - Walden Avenue

On March 12, 1973 the New York State Department of Transportation indicated that the necessary speed checks for this study were being taken during the week of February 26th and that a report will be forthcoming.

2. Rezone Petition - Ralph Figlow - Aurora Street

On October 16, 1972, after a Public Hearing, this matter was referred back to the Planning Board for review and report to the Town Board.

3. Cayuga Creek Flood Program

On May 11, 1973 the Army Corps of Engineers notified the Town Board that they had completed their field inspection and that they are preparing a report which is scheduled to be completed by September, 1973.

4. Tax Abatement - Police Services - County Sheriff's Department

On September 27, 1973 the Assistant County Attorney transmitted to the Town of Lancaster a copy of the most recent Comptroller's opinions relative to this type of tax abatement.

The Town Attorney was directed to review the opinions and report back to the Town Board.

5. Railroad Crossing - Improved Safety

On July 24, 1973 the Erie-Lackawanna Railroad acknowledged receipt of a letter from the Town Attorney and indicated that they have programmed these crossings for repairs.

6. Adoption of Flood Plain Legislation

On November 5, 1973 the Town Board set a Public Hearing on this matter for Monday, December 3, 1973.

PERSONS DESIRING TO ADDRESS THE TOWN BOARD:

Mr. Jack Bromwich, 5593 Broadway, Lancaster, New York, a member of the Town of Lancaster Volunteer Reserve Ambulance Corps, reported to the Board that the Corps answered its 10,000th call during the last week.

Mr. Bromwich indicated that the Police Department and Members of the Ambulance Corps should be commended for their fine work.

Mr. Donald Diebel, 2 Elm Place, Lancaster, New York, asked if any further consideration has been given to filling the vacancy of the Town of Lancaster Planning Board.

The Supervisor and Councilman Barnhardt indicated that applications are still being received and no appointment has been made as of date.

Mr. Boyd Davis, 63 Briarwood Drive, Lancaster, New York, spoke with the Town Board concerning the proposed Domed Stadium for the Town of Lancaster.

The Supervisor assured Mr. Davis that the Town Board is in favor of the proposed Stadium and has been working diligently for many months to acquire this facility for the Town of Lancaster.

COMMUNICATIONS:DISPOSITION

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| 428. Town Clerk to Town Board -
Resume of actions taken in response to
resolutions and directions - Meeting of
October 15, 1973. | R & F |
| 429. Theodore C. Brunea to Town Board -
Request for clarification of zoning
boundaries. | Town Attorney |
| 430. Krehbiel-Guay-Rugg-Hall to Erie County
Water Authority -
Transmittal - Copy of "As Built" and
approval of Erie County Health Dept.
approval of water line extension on
Waltham Avenue. | R & F |
| 431. Highway Superintendent to Town Board -
Request approval of bid by P.D. Service,
Inc. for One (1) Hi-Way Spreader. | R & F |
| 432. Chief Ott to Town Board -
Request authorization for purchase of
three (3) new 1974 police vehicles. | Town Attorney
Police Committee |
| 433. Krehbiel-Guay-Rugg-Hall to Town Clerk -
Transmittal - Specifications for
demolition of building at 10 School
Street. | R & F |
| 434. Highway Superintendent to Town Board -
Request - Transfer of funds. | Town Attorney |
| 435. American Legion Post No. 1528 to Town
Board -
Invitation to attend memorial services
on November 11th for Veterans of all
Wars. | Councilman Metz |
| 436. Director, N.Y.S. Executive Dept. Office for
the Aging to Town Board -
Notification - Meeting to be held for
implementation of the National Nutrition
Program for the Elderly. | Recreation Commission |
| 437. County Division of Planning to Town Board -
Notification - Change in schedule for
Erie County Industrial Study and Plan
Workshop meeting to November 14, 1973
at 7:30 P.M. | Planning Board
Planning Committee |
| 438. Clerk, Erie County Legislature to Supervisor -
Request transmittal of Town Budget after
adoption. | Supervisor |
| 439. Secretary, Public Service Commission to Town
of Lancaster -
Request transmittal of information on
plans for installation of auxiliary
power supply in case of emergency. | Town Engineers
Highway Superintendent |
| 440. County Deputy Commission of Highways to
Supervisor -
Re: Policy on Tree Planting on Erie
County Highway Right-of-Way. | Tree Committee |
| 441. President, Lancaster Library Board to
Supervisor -
Transmittal - Official approval of
library plans by County Director
Rounds. | Library Committee |

COMMUNICATIONS:

DISPOSITION

442. Supervisor to Town Board -
Notification - Investment of funds on
October 15, 1973 with Marine Midland
Bank-Western for total dollar earnings
of \$1,424.74.
443. Bronislaus Masternak to Lancaster Library
Board -
Bid estimate for roof work at Depew
Library, 321 Columbia Avenue.
444. Regional Supervisor, New York State
Department of Environmental Conservation
to Town Clerk -
Transmittal - "Notice of Application"
remove gravel from 300 foot section
of Cayuga Creek.
445. County Public Works Dept. to Supervisor -
Meeting set for November 8, 1973 at
7:30 P.M. Re: Erie County Sewer
District No. 4.
446. Chief, Millgrove Volunteer Fire Dept.
Inc. to Town Clerk -
List of fire hydrants of first call
area and request for staking of low
hydrants.

R & F

R & F

Highway Superintendent
Env. Cons. Comm.
Investigating Committee

Sewer Committee

Highway Superintendent

ADJOURNMENT:

ON MOTION OF COUNCILMAN BERENT, AND SECONDED BY THE ENTIRE TOWN
BOARD AND CARRIED, the meeting was adjourned at 8:30 P.M. out of respect
to:

DOROTHEA WOOLLEY

Signed


Robert P. Thill, Town Clerk